

UNITED STATES DISTRICT COURT

for the

Southern District of Illinois

James Courtney)

_____)

_____)

Plaintiff

v.

Sargent Todd Hempton)

Kim Cooter)

Centralia Police Depart-)

ment)

Defendant(s)

Case Number: 3:14-CV-01333 SMY-PMF
(Clerk's Office will provide)

PRO SE CIVIL RIGHTS COMPLAINT

(Non-Prisoner)

I. JURISDICTION

Subject matter jurisdiction is invoked under 28 U.S.C. § 1331, 28 U.S.C. § 1343(a)(3), and/or 42 U.S.C. § 1983. List any additional bases for federal subject matter jurisdiction

here: My Civil rights were violated in Centralia, IL 62801
Southern, IL

II. PARTIES

Plaintiff:

A. Plaintiff, a citizen of Illinois (state), who resides at

1306 Wescott - Mt. Vernon, IL 62864 alleges that his/her

civil rights were violated by the individual(s) named below.

Defendant #1:

B. Defendant SGT Todd Hempton is employed as

(a) (Name of First Defendant)

Police officer

(b) (Position/Title)

with Centralia Police Department
(c) (Employer's Name and Address)

222 S. Poplar St. Centralia, IL 62801

At the time the claim(s) alleged this complaint arose, was Defendant #1 employed by the state, local, or federal government? ☒ Yes ☐ No

If your answer is YES, briefly explain: On Oct 6th, 2014 at 8:15 am I went to Centralia Police Department (it was my 3rd day), to register as homeless Sgt Todd Hempton broke the law and told me no - I scare him. He is a Sgt employed as a police officer for the Centralia Police Dept.

☒ This defendant personally participated in causing my injury, and I want money damages.

☐ The policy or custom of this official's government agency violates my rights, and I seek injunctive relief (to stop or require someone to something).

Defendant #2:

C. Defendant Kim Coater is employed as
(Name of Second Defendant)

in Charge of sex registration/Police records
(Position/Title)

with Centralia Police Department 222 S. Poplar St. Centralia, IL 62801
(Employer's Name and Address)

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government? ☒ Yes ☐ No

If you answer is YES, briefly explain: Kim is in Charge of sex registration, employed by the Centralia Police Dept.

Check one of the following:

☒ This defendant personally participated in causing my injury, and I want money damages.

☐ The policy or custom of this official's government agency violates my rights, and I seek injunctive relief (to stop or require someone to something).

Defendant #3:

D. Defendant Centralia Police Department is employed as
(Name of Third Defendant)
Sgt Todd Hempton and Kim Coater is employed
(Position/Title)
with Centralia Police Dept. 222 S. Poplar St.
(Employer's Name and Address)
Centralia, IL 62801

At the time the claim(s) alleged in this complaint arose, was Defendant #3 employed by the state, local, or federal government? ☒ Yes ☐ No

If you answer is YES, briefly explain: They both Todd and Kim are employed by the Centralia Police Dept.

Check one of the following:

☐ This defendant **personally participated** in causing my injury, and I want **money damages**.

☒ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone to something).

Additional Defendant(s) (if any):

E. Using the outline set forth above, identify any additional Defendant(s), using additional pages, if necessary.

III. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in this federal court?

☒ Yes ☐ No

B. If your answer to "A" is YES, describe each lawsuit in the space below. If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline.

1. Parties to previous lawsuits:

Plaintiff(s): James Courtney

Defendant(s): Sheriff Jerry A. Devore and
Marion County Jail

2. Case number: ~~13-302-JPG~~ 3:13-CV-00302 JPG
Judge J. Phil Gilbert 7th Circuit case # 13-1984

3. Name of Judge to whom case was assigned: Judge J. Phil Gilbert

4. Disposition of case (for example: Was the case dismissed? Was it appealed?
Is it still pending?): Dismissed with prejudice
for failure to state a claim upon which relief
may be granted

Yes: claim was appealed

Yes: the claim is in the United States
Court of appeals for the Seventh
Circuit. Case # 13-1984

IV. STATEMENT OF CLAIM

State here, as briefly as possible, when, where, how, and by whom you feel your constitutional rights were violated. Do not include legal arguments or citations. If you wish to present legal arguments or citations, file a separate memorandum of law. If you intend to allege several related claims, number and set forth each claim in a separate paragraph.

On Oct 6th, 2014 at 8:15 a.m. I went to the Centralia Police Department to talk to Kim ~~Kim~~ ^{Kim} to register (I've been labeled as sex offender) homeless sex offender as required by law. I have 72 hours to register as I told Kim and SGT Todd Hempton. Kim I told Kim and SGT Todd Hempton that I needed to register homeless because my 72 hours were almost up, that I was stuck in Centralia because my ride to Mt. Vernon, TN had to go to work. Kim told me no she would not let me register homeless to go back to Mt. Vernon. Caused I scared her, Mt. Vernon is about 35 miles from Centralia, I could never make the walk in time, because my 72 hours were almost up. Kim called SGT Hempton to her office they talked, SGT Hempton came out of the door and told me that they were not going to let me register homeless because I scare them. He told me to walk back to Mt. Vernon knowing that my 72 hours were almost up and that I'd be arrested by the Mt. Vernon Police Dept for failure to register. SGT Todd Hempton laughed then shut the door. SGT Todd Hempton and Kim broke the law, and SGT Hempton was harassing me. They broke the law by not letting me register homeless as required by law, Kim and SGT Todd Hempton are being sued in their official (10/2010) and individual capacity

V. REQUEST FOR RELIEF (check as many boxes as appropriate)

Plaintiff requests that the court grant the following relief:

Compensatory damages in the amount of \$ 500,000.00.

Punitive damages in the amount of \$ 500,000.00.

An ordering requiring defendant(s) to:

A declaration that: both Kim Cooter and SGT Todd Hempton follow the law and not break it.

Other:

VI. JURY DEMAND (check one box below)

Plaintiff ☒ does or ☐ does not request a trial by jury.

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions.

Signed on: 12-1-14
(date)

James Courtney
Signature of Plaintiff

1306 Wescott
Street Address

James Courtney
Printed Name

Mt. Vernon, IL 62864
City, State, Zip